



# The Town of Fenwick Island

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[www.fenwickisland.delaware.gov](http://www.fenwickisland.delaware.gov)

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## NOTICE

On May 22, 2020, the Fenwick Island Town Council  
Passed the Following Resolution #101-2020  
Summer 2020 Events

As the State of Delaware moves forward with economic reopening and recovery efforts as part of its response to and management of the COVID-19 pandemic, the Town of Fenwick Island also recognizes the need for small businesses to safely operate, by offering outside seating, curbside service, or by appointment only.

Accordingly, it is the determination of the Town Council for the Town of Fenwick Island that a temporary relaxation of the special event requirements in the Fenwick Island Town Code is necessary and warranted for the upcoming Summer 2020 season, as part of and to aid in the State's economic recovery efforts. For purposes of this Resolution, the Summer 2020 season shall begin on June 1, 2020, and conclude on October 1, 2020. This temporary relaxation of the Town's special event requirements will assist the commercial businesses in Town to safely open their doors and to maintain a safe physical distance between staff and customers. Any and all commercial businesses taking advantage of this temporary relaxation must strictly adhere to the following rules and requirements:

All Town-approved special events shall follow any and all CDC Guidelines, State of Delaware Department of Public Health Guidelines, and/or State of Delaware Governor's Orders applicable to the COVID-19 pandemic and the economic recovery efforts related thereto - e.g., disposable menus, disposable plates, etc. Tables shall be sanitized after each and every use. Guidelines from the CDC, State of Delaware Public Health and the Delaware Governor's Office shall always take precedence over the guidelines established below.

- A. Permits for a Summer 2020 special event under the relaxed rules hereby established shall only be available to a Town-licensed commercial business and shall be required for all outdoor events held in the commercial zone. Outdoor events requiring a special event permit include outdoor seating for restaurants with limited table service, as well as sidewalk sales and curbside service. All outdoor seating areas, sidewalk displays and/or curbside service areas must be located at least 20 feet from both the front and side property lines. Seating for restaurants offering outdoor seating shall occupy no more than 20% of the total parking spaces available to the restaurant. Tables and retail fixtures (such as display racks and shelves) are not permitted to block sidewalks or passageways. Due to safety concerns, tables, and retail fixtures (such as display racks and shelves) shall not be placed within any 20-foot area adjacent to Route 1.

Patrons must be seated at a picnic table or a table with no more than six chairs per table and must maintain a safe distance of no less than twelve feet between tables. Restaurants with existing outdoor seating must also adhere to safe distancing policies with tables and wait service fixtures spaced no less than twelve feet apart and with no more than six chairs per table.

Retail fixtures must be spaced twelve feet apart so that appropriate social distancing can be accomplished.

- B. All Summer 2020 special events are prohibited unless a written application is accepted and approved by the Town Manager. All applications shall be submitted seven days prior to opening. There shall be no fee charged for such an event during the Summer 2020 season.

- C. The Town requires that each applicant complete a Summer 2020 Special Event Application. A detailed drawing must be submitted with the application showing the location and number of tables, clothes racks, display cases, etc. along with a description of the safe physical distance and sanitation practices to be utilized by the applicant. Location of tables, clothes racks, display cases, etc. must maintain a setback from both the front and side property lines of no less than 15 feet. All items (excluding picnic tables) shall be removed when a business is closed.
- D. Rules and regulations will accompany and be made a part of each Summer 2020 Special Event Permit issued. Such rules and regulations shall be established by resolution of the Town Council, which may be amended from time to time in the Town Council's sole discretion.
- E. The applicant, upon application and acceptance for a Summer 2020 Special Event Permit issued by the Town, agrees to indemnify and hold the Town, its officers, members, agents, consultants and employees harmless from any and all demands, claims, causes of action, damages, injuries, liabilities, penalties and expenses (including fees and disbursements of legal counsel) arising out of or resulting in any manner from the special event held.

**Denial and/or modification of permit application and appeal.**

- A. The Town Manager, Building Official and Chief of the Fenwick Island Police Department may deny or modify any Summer 2020 Special Event Permit.
- B. The Town Manager shall, within seven days, approve, deny, and/or modify the application.
- C. The applicant may appeal any denial and/or modification of the permit by promptly filing with the Town Clerk a written notice setting forth grounds for such appeal. Said appeal will be held before Town Council.
- D. The Town Manager shall inform Town Council and schedule a hearing to consider said appeal.
- E. The decision of Town Council regarding an appeal shall be final.

Attest: \_\_\_\_\_  
Linda Martin, Town Clerk

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Eugene N. Langan, Mayor

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Bernie Merritt, Council Secretary

*I, Bernie Merritt, Secretary of the Town Council of the Town of Fenwick Island, Delaware, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by the President and Council at a meeting on May 22, 2020, at which a quorum was present and voting throughout and the same is still in force and effect.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bernie Merritt, Council Secretary